

Paper No. 728
Disposes of
Papers Nos. 651, 655, 661, 664
668, 669, 670, 671, 673, 675,
678, 679, 683, 684, 685, 686,
687, 688, 689, 690, 691, 695,
696, 697, 698, 701 and 705.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER: OVERRULING AND DENYING A GENERAL APPLICATION ON BE- HALF OF ALL THE ACCUSED AND THE SEVERAL APPLICATIONS OF EACH ACCUSED RESPECTIVELY TO DISMISS THE INDICTMENT.
- vs -	
ARAKI, Sadao; et al	

This matter coming on for final hearing and consideration by the Tribunal in Open Court this 3rd day of February 1947, upon the general application of all the accused, jointly and severally, to dismiss the Indictment and each and every count thereof as to each of the accused respectively, and, upon the individual application of each of the accused on his own behalf only, to dismiss the Indictment and each and every count therein contained as to him individually and for a judgment of acquittal, and upon the answer and reply of the Prosecution to each of said applications respectively; and

The Tribunal hearing the arguments of Counsel for the accused and for the Prosecution, and being fully advised in the premises, it is the decision of a majority of the Justices of the Tribunal, and

ORDERED: That each and all of said applications to dismiss the indictment and the counts therein contained be and is hereby overruled and denied.

Dated at Tokyo, Japan, this 10 February 1947.

BY THE TRIBUNAL:

(Signed) W. F. WEBB
PRESIDENT

SITTING:

The Honorable Sir William Webb
Mr. Justice McDougall
Mr. Justice Roling
Lord Patrick
Mr. Justice Mei
Major General of Justice Zaryanov
Major General Cramer
Mr. Justice Bernard
Mr. Justice Pal
Mr. Justice Jaranilla

NOT SITTING:

Mr. Justice Northcroft